

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RAYMOND HERNANDEZ,

Plaintiff,

v.

No. CV 20-379 JCH/CG

CHIEF RICHARDSON, et al.,

Defendants.

SECOND ORDER TO CURE DEFICIENCY

THIS MATTER is before the Court on Plaintiff Raymond Hernandez's *Application to Proceed in District Court Without Prepaying Fees or Costs* (the "Application"), (Doc.

4). The Court determines that Plaintiff's Application is missing the required **certified copy of Plaintiff's inmate account statement** for the 6-month period immediately preceding this filing. See 28 U.S.C. § 1915(a)(2). Section 1915 states:

"A prisoner seeking to bring a civil action . . . shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint. . ."

28 U.S.C. § 1915(a)(2). The standard form application to proceed under § 1915 also requires:

"If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account."

(Doc. 2 at 1). Plaintiff has not submitted the certified inmate account statement as required by § 1915(a)(2) and the application form. Failure to cure the designated deficiency by **August 5, 2020**, may result in dismissal of this action without further

notice. If Plaintiff claims to be having problems obtaining a copy of the required statement from the Metropolitan Detention Center, he is directed to provide a copy of this Order to the appropriate financial officer.

IT IS THEREFORE ORDERED:

(1) that Plaintiff **CURE** the designated deficiency by submitting the required certified copy of Plaintiff's inmate account statement for the 6-month period immediately preceding this filing no later than **August 5, 2020**; and

(2) the Clerk is **DIRECTED** to send two copies of this Order to Plaintiff so that Plaintiff may provide a copy to the appropriate financial officer.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', written over a horizontal line.

THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE